

1  
2  
3  
4  
5  
6  
7 LAVERNE JOHNSON,  
8 Petitioner,  
9 v.  
10 RON BROOMFIELD, Warden at San  
Quentin State Prison  
11 Respondent.

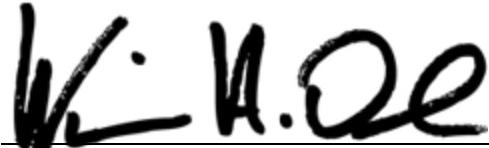
Case No. 95-cv-00305-WHO

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
**ORDER REQUESTING JOINT  
STATEMENT**

On May 13, 2014, the Court deferred ruling on claims M and AA, which challenge the constitutionality of California's death penalty statute, and claim BB, which challenges the adequacy of the California Supreme Court's review of capital cases, pending the resolution of similar claims raised by Troy Ashmus in *Ashmus v. Martel*, C-93-0594 (N.D. Cal.). ECF Dkt. No. 236. Ashmus was exhausting his claims in state court when he died on July 20, 2020. *See Ashmus*, ECF Dkt. No. 594. Due to his death, Ashmus' federal habeas petition was dismissed. ECF Dkt. No. 594. Claims M, AA and BB, as well as claims Z, DD, X and N are the only remaining claims of petitioner's petition. ECF Dkt. No. 242. The Court hereby directs the parties to submit a joint statement proposing a litigation schedule for these remaining claims within 60 days of the date of this Order. A case management conference will be scheduled if necessary.

**IT IS SO ORDERED.**

Dated: April 20, 2021

  
William H. Orrick  
United States District Judge